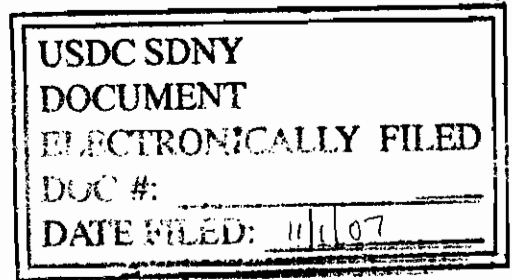


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



JAMES SIEGEL,

Plaintiff,

- against -

METRO-NORTH COMMUTER RAILROAD,

Defendant.

ORDER

07 Civ. 6025 (DC)

CHIN, D.J.

Plaintiff commenced this action on June 25, 2007 by filing a complaint, at which time a summons was issued. More than 120 days have elapsed since the action was commenced, and plaintiff has failed to file an affidavit of service with the Court attesting to service of the summons and complaint on the defendant. Accordingly, this action will be dismissed without prejudice unless plaintiff, within thirty days from the date of this order, that is, on or before December 1, 2007, either (1) files proof of service with the Clerk of the Court, or (2) shows cause in writing why a further extension of the time limit for service is warranted. See Fed. R. Civ. P. 4(m).

SO ORDERED.

Dated: New York, New York  
November 1, 2007

DENNY CHIN  
United States District Judge